

□ 1638

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# JEFF MILLER AND RICHARD BLUMENTHAL VETERANS HEALTH CARE AND BENEFITS IMPROVEMENT ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6416) to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 606]

YEAS—419

Abraham	Carter (TX)	Doggett
Adams	Cartwright	Dold
Aderholt	Castro (TX)	Donovan
Aguilar	Chabot	Doyle, Michael
Allen	Chaffetz	F.
Amash	Chu, Judy	Duckworth
Amodei	Cicilline	Duffy
Ashford	Clark (MA)	Duncan (SC)
Babin	Clarke (NY)	Duncan (TN)
Barletta	Clay	Edwards
Barr	Cleaver	Ellison
Barton	Clyburn	Ellmers (NC)
Bass	Coffman	Emmer (MN)
Beatty	Cohen	Engel
Becerra	Cole	Eshoo
Benishek	Collins (GA)	Esty
Bera	Collins (NY)	Evans
Beyer	Comer	Farenthold
Bilirakis	Comstock	Farr
Bishop (GA)	Conaway	Fincher
Bishop (MI)	Connolly	Fitzpatrick
Bishop (UT)	Conyers	Fleischmann
Black	Cook	Fleming
Blackburn	Cooper	Flories
Blum	Costa	Fortenberry
Blumenauer	Costello (PA)	Foster
Bonamici	Courtney	Fox
Bost	Cramer	Frankel (FL)
Boustany	Crawford	Franks (AZ)
Boyle, Brendan	Crenshaw	Frelinghuysen
F.	Crowley	Fudge
Brady (PA)	Cuellar	Gabbard
Brady (TX)	Culberson	Gallagher
Brat	Cummings	Garamendi
Bridenstine	Curbelo (FL)	Garrett
Brooks (AL)	Davidson	Gibbs
Brooks (IN)	Davis (CA)	Gibson
Brownley (CA)	Davis, Danny	Gohmert
Buchanan	Davis, Rodney	Goodlatte
Buck	DeFazio	Gosar
Bucshon	DeGette	Gowdy
Burgess	Delaney	Graham
Bustos	DeLauro	Granger
Butterfield	DelBene	Graves (GA)
Byrne	Denham	Graves (LA)
Calvert	Dent	Graves (MO)
Capps	DeSantis	Grayson
Capuano	DeSaulnier	Green, Al
Cardenas	DesJarlais	Green, Gene
Carney	Deutch	Griffith
Carson (IN)	Diaz-Balart	Grijalva
Carter (GA)	Dingell	Grothman

Guinta	Maloney, Sean	Rush
Guthrie	Marchant	Russell
Gutiérrez	Marino	Ryan (OH)
Hanabusa	Massie	Salmon
Hanna	Matsui	Sánchez, Linda
Hardy	McCarthy	T.
Harper	McCaul	Sanford
Harris	McClintock	Sarbanes
Hartzler	McCollum	Scalise
Hastings	McDermott	Schakowsky
Heck (NV)	McGovern	Schiff
Heck (WA)	McHenry	Schrader
Hensarling	McKinley	Schweikert
Herrera Beutler	McMorris	Scott (VA)
Hice, Jody B.	Rodgers	Scott, Austin
Higgins	McNerney	Scott, David
Hill	McSally	Sensenbrenner
Himes	Meadows	Serrano
Hinojosa	Meehan	Sessions
Holding	Meeks	Sewell (AL)
Honda	Meng	Sherman
Hoyer	Messer	Shimkus
Hudson	Mica	Shuster
Huelskamp	Miller (FL)	Simpson
Huffman	Moolenaar	Sinema
Huizenga (MI)	Mooney (WV)	Sires
Hultgren	Moore	Slaughter
Hunter	Moulton	Smith (MO)
Hurd (TX)	Mullin	Smith (NE)
Hurt (VA)	Mulvaney	Smith (NJ)
Issa	Murphy (FL)	Smith (TX)
Jackson Lee	Murphy (PA)	Smith (WA)
Jeffries	Nadler	Speier
Jenkins (KS)	Napolitano	Stefanik
Jenkins (WV)	Neal	Stewart
Johnson (GA)	Neugebauer	Stivers
Johnson (OH)	Newhouse	Stutzman
Johnson, E. B.	Noem	Swalwell (CA)
Johnson, Sam	Nolan	Takano
Jones	Norcross	Thompson (CA)
Jordan	Nugent	Thompson (MS)
Joyce	Nunes	Thompson (PA)
Kaptur	O'Rourke	Thornberry
Katko	Olson	Tiberi
Keating	Palazzo	Tipton
Kelly (IL)	Pallone	Titus
Kelly (MS)	Palmer	Tonko
Kelly (PA)	Pascarella	Torres
Kennedy	Paulsen	Trott
Kildee	Payne	Tsongas
Kilmer	Pearce	Turner
Kinder	Pelosi	Upton
King (IA)	Perlmutter	Valadao
King (NY)	Perry	Van Hollen
Kinzinger (IL)	Peters	Vargas
Kline	Peterson	Veasey
Knight	Pingree	Vela
Kuster	Pitts	Velázquez
Labrador	Pocan	Visclosky
LaHood	Poliquin	Wagner
LaMalfa	Polis	Walberg
Lamborn	Pompeo	Walden
Lance	Posey	Walker
Langevin	Price (NC)	Walorski
Larsen (WA)	Price, Tom	Walters, Mimi
Larson (CT)	Quigley	Walz
Latta	Rangel	Wasserman
Lawrence	Ratcliffe	Schultz
Levin	Reed	Waters, Maxine
Lewis	Reichert	Watson Coleman
Lieu, Ted	Renacci	Weber (TX)
Lipinski	Ribble	Webster (FL)
LoBiondo	Rice (NY)	Welch
Loeb sack	Rice (SC)	Wenstrup
Lofgren	Rigell	Westerman
Long	Roby	Williams
Loudermilk	Roe (TN)	Wilson (FL)
Love	Rogers (AL)	Wilson (SC)
Lowenthal	Rogers (KY)	Wittman
Lowey	Rohrabacher	Womack
Lucas	Rokita	Woodall
Luetkemeyer	Rooney (FL)	Yarmuth
Lujan Grisham	Ros-Lehtinen	Yoder
(NM)	Roskam	Yoho
Lujan, Ben Ray	Ross	Young (AK)
(NM)	Rothfus	Young (IA)
Lummis	Rouzer	Young (IN)
Lynch	Roybal-Allard	Zeldin
MacArthur	Royce	Zinke
Maloney,	Ruiz	
Carolyn	Ruppersberger	

NOT VOTING—14

Brown (FL)	Jolly	Poe (TX)
Castor (FL)	Kirkpatrick	Richmond
Clawson (FL)	Lee	Sanchez, Loretta
Forbes	Miller (MI)	Westmoreland
Israel	Pittenger	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1646

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. JORDAN. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

H. Res. 828, impeaching John Andrew Koskinen, Commissioner of the Internal Revenue Service, for high crimes and misdemeanors.

Resolved, that John Andrew Koskinen, Commissioner of the Internal Revenue Service, is impeached for high crimes and misdemeanors and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against John Andrew Koskinen, Commissioner of the Internal Revenue Service, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

### Article I.

John Andrew Koskinen, in his conduct while Commissioner of the Internal Revenue Service, engaged in a pattern of conduct that is incompatible with his duties as an Officer of the United States, as follows:

Commissioner Koskinen failed in his duty to respond to lawfully issued congressional subpoenas. On August 2, 2013, the Committee on Oversight and Government Reform of the House of Representatives issued a subpoena to Secretary of the Treasury Jacob Lew, the custodian of Internal Revenue Service documents. That subpoena demanded, among other things, "all communications sent or received by Lois Lerner, from January 1, 2009, to August 2, 2013". On February 14, 2014, following the Senate's confirmation of John Andrew Koskinen as Commissioner of the Internal Revenue Service, the Committee on Oversight and Government Reform of the House of Representatives reissued the subpoena to him.

On March 4, 2014, Internal Revenue Service employees in Martinsburg, West Virginia, magnetically erased 422 backup tapes, destroying as many as

24,000 of Lois Lerner's emails responsive to the subpoena. This action impeded congressional investigations into the Internal Revenue Service targeting of Americans based on their political affiliation. The American people may never know the true culpability or extent of the Internal Revenue Service targeting because of the destruction of evidence that took place.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment and trial, and removal from office.

#### Article II.

John Andrew Koskinen engaged in a pattern of deception that demonstrates his unfitness to serve as Commissioner of the Internal Revenue Service. Commissioner Koskinen made a series of false and misleading statements to Congress in contravention of his oath to tell the truth. Those false statements included the following:

One, on June 20, 2014, Commissioner Koskinen testified that "since the start of this investigation, every email has been preserved. Nothing has been lost. Nothing has been destroyed."

Two, on June 23, 2014, Commissioner Koskinen testified that the Internal Revenue Service had "confirmed that backup tapes from 2011 no longer existed because they have been recycled, pursuant to the Internal Revenue Service normal policy". He went on to explain that "confirmed means that somebody went back and looked and made sure that in fact any backup tapes that had existed had been recycled".

Three, on March 26, 2014, Commissioner Koskinen was asked during a hearing before the Committee on Oversight and Government Reform of the House of Representatives, "Sir, are you or are you not going to provide this committee all of Lois Lerner's emails?". He answered, "Yes, we will do that."

Each of those statements was materially false. On March 4, 2014, Internal Revenue Service employees magnetically erased 422 backup tapes containing as many as 24,000 of Lois Lerner's emails. On February 2, 2014, senior Internal Revenue Service officials discovered that Lois Lerner's computer hard drive had crashed, rendering hundreds or thousands of her emails unrecoverable. Commissioner Koskinen's false statements impeded and confused congressional investigations into the Internal Revenue Service targeting of Americans based on their political affiliation.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment and trial, and removal from office.

#### Article III.

John Andrew Koskinen, throughout his tenure as Commissioner of the Internal Revenue Service, has acted in a manner inconsistent with the trust and confidence placed in him as an Officer of the United States, as follows:

During his confirmation hearing before the Senate Committee on Finance,

John Andrew Koskinen promised, "We will be transparent about any problems we run into; and the public and certainly this committee will know about those problems as soon as we do."

Commissioner Koskinen repeatedly violated that promise. As early as February 2014 and no later than April 2014, he was aware that a substantial portion of Lois Lerner's emails could not be produced to Congress. However, in a March 19, 2014, letter to Senator Wyden of the Senate Committee on Finance, Commissioner Koskinen said, "We are transmitting today additional information that we believe completes our production to your committee and the House Ways and Means Committee. . . . In light of these productions, I hope that the investigations can be concluded in the very near future." At the time he sent that letter, he knew that the document production was not complete.

Commissioner Koskinen did not notify Congress of any problem until June 13, 2014, when he included the information on the fifth page of the third enclosure of a letter to the Senate Committee on Finance.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment and trial, and removal from office.

#### Article IV.

John Andrew Koskinen has failed to act with competence and forthrightness in overseeing the investigation into Internal Revenue Service targeting of Americans because of their political affiliations as follows:

Commissioner Koskinen stated in a hearing on June 20, 2014, that the Internal Revenue Service had "gone to great lengths" to retrieve all of Lois Lerner's emails. Commissioner Koskinen's actions contradicted the assurances he gave to Congress.

The Treasury Inspector General for Tax Administration found over 1,000 of Lois Lerner's emails that the Internal Revenue Service had failed to produce. Those discoveries took only 15 days of investigation to uncover. The Treasury Inspector General for Tax Administration searched a number of available sources, including disaster backup tapes, Lois Lerner's Blackberry, the email server, backup tapes for the email server, and Lois Lerner's temporary replacement laptop. The Internal Revenue Service failed to examine any of those sources in its own investigation.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment, trial, and removal from office.

#### RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. JORDAN. Mr. Speaker, I offer this resolution, H. Res. 828, for consideration by the full House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 828

*Resolved*, That John Andrew Koskinen, Commissioner of the Internal Revenue Serv-

ice, is impeached for high crimes and misdemeanors and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against John Andrew Koskinen, Commissioner of the Internal Revenue Service, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

#### ARTICLE I

John Andrew Koskinen, in his conduct while Commissioner of the Internal Revenue Service, engaged in a pattern of conduct that is incompatible with his duties as an Officer of the United States, as follows:

Commissioner Koskinen failed in his duty to respond to lawfully issued congressional subpoenas. On August 2, 2013, the Committee on Oversight and Government Reform of the House of Representatives issued a subpoena to Secretary of the Treasury Jacob Lew, the custodian of Internal Revenue Service documents. That subpoena demanded, among other things, "[a]ll communications sent or received by Lois Lerner, from January 1, 2009, to August 2, 2013". On February 14, 2014, following the Senate's confirmation of John Andrew Koskinen as Commissioner of the Internal Revenue Service, the Committee on Oversight and Government Reform of the House of Representatives reissued the subpoena to him.

On March 4, 2014, Internal Revenue Service employees in Martinsburg, West Virginia, magnetically erased 422 backup tapes, destroying as many as 24,000 of Lois Lerner's emails responsive to the subpoena. This action impeded congressional investigations into the Internal Revenue Service targeting of Americans based on their political affiliation. The American people may never know the true culpability or extent of the Internal Revenue Service targeting because of the destruction of evidence that took place.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment and trial, and removal from office.

#### ARTICLE II

John Andrew Koskinen engaged in a pattern of deception that demonstrates his unfitness to serve as Commissioner of the Internal Revenue Service. Commissioner Koskinen made a series of false and misleading statements to Congress in contravention of his oath to tell the truth. Those false statements included the following:

(1) On June 20, 2014, Commissioner Koskinen testified that "since the start of this investigation, every email has been preserved. Nothing has been lost. Nothing has been destroyed."

(2) On June 23, 2014, Commissioner Koskinen testified that the Internal Revenue Service had "confirmed that backup tapes from 2011 no longer existed because they have been recycled, pursuant to the Internal Revenue Service normal policy". He went on to explain that "[c]onfirmed means that somebody went back and looked and made sure that in fact any backup tapes that had existed had been recycled".

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